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PATENT
Attorney Docket No. SALK1650-2

PTO

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02/29/00

NEW PATENT APPLICATION
 CONTINUATION-IN-PART
 DIVISIONAL

ASSISTANT COMMISSIONER
FOR PATENTS
Box Patent Application
Washington, D.C. 20231

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DATE OF DEPOSIT February 29, 2000 I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231

MIKHAIL BAYLEY

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

Mikhail Bayley

SIGNATURE OF PERSON MAILING PAPER OR FEE

Sir:

Transmitted herewith for filing is the divisional patent application of:

Inventors: **Marc R. Montminy**

For: **METHODS FOR TREATING DIABETES MELLITUS**

This is a request for filing a continuation divisional application under 37 C.F.R. 1.53(b), of Application No. 08/961,739 filed October 31, 1997, now pending, which is a continuation-in-part of Application No. 08/194,468, filed February 10, 1994, issued on May 12, 1998, as U.S. Patent No. 5,750,336.

FULL NAME OF FIRST INVENTOR	LAST NAME: Montminy	FIRST NAME: Marc	MIDDLE NAME: R.
CITIZENSHIP	STATE OR FOREIGN COUNTRY: United States		
POST OFFICE ADDRESS	POST OFFICE ADDRESS: 1002 Quail Garden Court	CITY AND STATE: Encinitas, California	ZIP CODE: 92024

The issue fee has been paid in the above-identified application, however, it is not yet issued.

1. Cancel in this application original claims 8-11 and 13-16, of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
2. A preliminary amendment is enclosed.

In re Application of:

Marc R. Montminy

Application No.: Unassigned

Filed: February 29, 2000

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The filing fee has been calculated as shown below:

For	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	9 -20	=	0	X	\$9	\$18	=	\$.00	\$.00
Independent Claims	3 - 3	=	0	X	\$39	\$78	=	\$.00	\$.00
Multiple Dependent Claims Presented: <u> </u> Yes <u> X </u> No					\$130	\$260		\$.00	\$.00
					BASIC FEE		\$690	\$760	\$690.00
								TOTAL FEE	\$690.00

3. X The Assistant Commissioner is hereby authorized to charge a total payment of \$690.00 for the filing fee, and any other fees associated with this communication or credit any overpayment to Deposit Account No. 07-1895. A duplicate copy of this Transmittal Sheet is enclosed.

 X Any additional filing fees required under 37 C.F.R. 1.16.

 X Any patent application processing fees under 37 C.F.R. 1.17.

4. X Amend the specification by inserting before the first paragraph on page 1:

A1

This application is a continuation X divisional of Application No. 08/961,739 filed October 31, 1997, now pending, which is a continuation-in-part of Application No. 08/194,468, filed February 10, 1994, issued on May 12, 1998, as U.S. Patent No. 5,750,336, the entire contents of which are hereby incorporated by reference herein.

5. X A verified statement claiming small entity status was filed in parent application No. 08/194,468, filed February 10, 1994, and such status is still proper.

6. X The prior application is assigned of record to The Salk Institute for Biological Studies.

7. X The power of attorney in the prior application is to Stephen E. Reiter, Registration No. 31,192.

In re Application of:
Marc R. Montminy
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8. Please transfer the drawings from the prior application to the new application.
9. Information Disclosure Statements filed in the prior application under 37 C.F.R. 1.97 are hereby made of record (copies of 1449's and 892's are enclosed herewith for the Examiner's convenience).
10. Please transfer the computer readable form (CRF) copy of the Sequence Listing from the prior application, which CRF copy was filed with a Communication mailed October 5, 1999, to this new application.
11. Please transfer the Statement under 37 C.F.R. § 1.821(f) and (g) from the prior application, which Statement was filed with a Communication mailed October 5, 1999, to this new application.
12. A true copy of the prior application as filed is enclosed, including the Declaration and Power of Attorney filed in parent application, U.S. Serial No. 08/194,468, filed February 10, 1994.

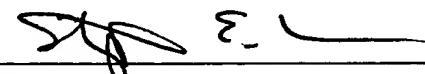
Address all future communications to:

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San Diego, California 92121-2189
Telephone: (858)-677-1409
Facsimile: (858)-677-1465

The undersigned states that the enclosed application papers comprise a copy of the prior application as filed.

Respectfully submitted,

Date: February 29, 2000


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